

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

JAMES HOFT and TGP COMMUNICATIONS,)	
LLC, d/b/a/ The Gateway Pundit,)	
)	
Plaintiffs,)	
)	CASE NO.: 4:24-CV-01304-HEA
v.)	
)	
WILLIAM CHARLES BUNDREN and)	
BUNDREN LAW GROUP, PLLC,)	
)	
Defendants.)	

DEFENDANTS’ MOTION FOR EXPEDITED DISCOVERY

Defendants William Charles Bundren and Bundren Law Group, PLLC (collectively, “Defendants”) respectively request that this Court enter an Order directing Plaintiffs James Hoft and TGP Communications LLC d/b/a The Gateway Pundit (collectively, “Plaintiffs”) to respond to Defendants’ limited discovery requests and expedite the production of documents pursuant to Federal Rule of Civil Procedure 26 in advance of the December 6, 2024 Preliminary Injunction hearing, and state as follows:

1. This Court set for hearing Plaintiffs’ Motion for Preliminary Injunction on December 6, 2024 (Doc. 29).
2. Plaintiffs’ First Amended Petition (Doc. 9), Motion for Temporary Restraining Order and Preliminary Injunction (Doc. 11), and Reply in Support (Doc. 24) allege that Defendants interfered with Plaintiffs’ “insurance accounts” and “insurance proceeds” that threatened the “settlement agreement” in the State Action (as defined in Doc. 20 at 2), from which this suit arises. *See* Doc. 9 at 1-3 and ¶¶ 10, 11, 17, 21, 22, 66, 70, 76; Doc. 11 at 1-3; Doc. 11-1, ¶¶ 4, 8.

3. Plaintiffs assert that this alleged interference prompted the filing of the instant suit to argue that the first-filed rule applies in support of their Motion for Preliminary Injunction. (Doc. 11; Doc. 24). Defendants, however, do not have in their possession the “settlement agreement” and any documents reflecting the “insurance accounts” and payments of “insurance proceeds” by the Insurance Companies or any payments by the Plaintiffs in connection with the State Action.

4. To oppose Plaintiffs’ argument that the first-filed rule applies and for purposes of obtaining evidence for the Preliminary Injunction hearing, Defendants request the expedited production of certain documents referenced herein.

5. Defendants’ counsel certifies that he attempted in good faith to meet and confer with Plaintiffs’ counsel, Marc Randazza and John Burns, regarding Defendants’ discovery requests on November 20, 2024 at 2:00 p.m. CST via telephone conference. Plaintiffs’ counsel failed to meaningfully confer and declined to produce the requested documents during the telephone conference, necessitating the filing of this motion.

6. In support of this Motion, Defendants submit a proposed order, attached as Exhibit A to Defendants’ Memorandum of Law, filed simultaneously herewith and incorporated herein by reference.

WHEREFORE, Defendants respectfully request this Court enter an order directing Plaintiffs to produce the following to Defendants before 12:00 p.m. CST on November 29, 2024 in advance of the December 6, 2024 hearing:

- i. an executed copy of the settlement agreement in connection with the State Action that Defendants allegedly interfered with;
- ii. any and all documents reflecting any payments made by any person or entity pursuant to the settlement agreement, including the date of payment, amount of payment and from whom the payment was made, in connection with the State Action;

- iii. a full and complete copy of the insurance policy subject to the settlement agreement in connection with the State Action and any endorsements or extensions of the insurance policy;
- iv. any and all documents reflecting the payment of insurance proceeds paid by the Insurance Companies (as defined in Doc. 23-1, ¶ 36) as alleged by Plaintiffs, pursuant to the settlement agreement, the insurance policy, and the insurance accounts, including the date of payment, amount paid and to whom the payment was made, in connection with the State Action;
- v. any and all written agreements reached between Plaintiffs and the Insurance Companies concerning the insurance policy, the “settlement agreement, payment by the Insurance Companies of any “insurance proceeds,” the insurance accounts, and/or Defendants; and
- vi. any and all written communications, including text messages and emails, between Plaintiffs and the Insurance Companies concerning the insurance policy, the settlement agreement, payment(s) by the Insurance Companies of any insurance proceeds, the insurance accounts, and/or Defendants, referenced by Plaintiffs in Docs. 9, 11, and 24, in connection with the State Action.

Dated: November 21, 2024

Respectfully submitted,

JENKINS & KLING, P.C.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on November 21, 2024, the foregoing was filed electronically to be served to all counsel of record by operation of the Court's electronic filing system.

/s/ Liam R. Brannon